

1 STEPHANIE M. HINDS (CABN 154284)
United States Attorney

2 MICHELLE LO (NYRN 4325163)
3 Chief, Civil Division

4 DOUGLAS JOHNS (CABN 314798)
5 Assistant United States Attorney

6 450 Golden Gate Avenue, Box 36055
7 San Francisco, California 94102-3495
Telephone: (415) 436-6961
FAX: (415) 436-6748
Douglas.Johns@usdoj.gov

8 Attorneys for UNITED STATES OF AMERICA

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

12 IN RE: REQUEST FOR INTERNATIONAL) MISC. NO.
13 JUDICIAL ASSISTANCE FROM THE)
14 SEOUL CENTRAL DISTRICT COURT,)
15 REPUBLIC OF KOREA, IN THE MATTER) [PROPOSED] ORDER GRANTING EX PARTE
16 OF KIM JI YEON V. PPKKA) APPLICATION FOR ORDER PURSUANT TO 28
U.S.C. § 1782 ***AS MODIFIED***
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)

Pending before the Court is an application submitted by the United States Attorney for an order pursuant to 28 U.S.C. § 1782. The United States Attorney requests that the Court appoint Douglas Johns, Assistant United States Attorney, as Commissioner and authorize AUSA Johns to issue subpoenas and obtain documents and other information from an entity located within the jurisdiction of this Court, namely Google, Inc., in conformity with the Request Letter issued January 12, 2022, by the National Court Administration of the Republic of Korea on behalf of the Seoul Central District Court of Seoul, Republic of Korea, in the matter of *Kim Ji Yeon v. PPKKa*.

The Court has reviewed the documents supporting this request for international judicial assistance as attached to the Declaration of AUSA Douglas Johns, and the Application of the United States, and is informed of the grounds upon which the Request Letter and Application are based.

1 Pursuant to the power conferred on it under 28 U.S.C. § 1782, and its inherent authority, the
2 Court hereby ORDERS that AUSA Johns is appointed as Commissioner, and is authorized to serve
3 Google, Inc., with a subpoena in accordance with the following terms and conditions:

4 1. Upon receipt of the subpoena, Google, Inc. shall promptly make a diligent search for the
5 information contained in the Request Letter pertaining to “PPKKA,” an alleged YouTube channel
6 operator, including, but not limited to, the following necessary information: (1) the sponsorship account
7 for PPKKA, <https://www.youtube.com/channel/UCIE2hKVqycauBKmXwawizEg>, which may include
8 the channel or account’s “AdSense registration information”; (2) PPKKA’s address; (3) PPKKA’s contact
9 information such as PPKKA’s telephone number; and (4) the registration information for
10 ppkka.hello@gmail.com, an email account.

11 2. Google shall serve a copy of the subpoena and a copy of this Order on each individual
12 associated with PPKKA within 30 days of the date of service of the subpoena on Google. Google may
13 serve any such individual(s) using any reasonable means, including written notice sent to their last
14 known address, transmitted either by first-class mail or via overnight service. Google and each
15 individual associated with PPKKA shall have 30 calendar days from the date of service upon them to file
16 any motions in this court to contest the subpoena.

17 3. Absent an objection or motion for protective order filed prior to the expiration of
18 Google’s 21-day 30-day notice period regarding the Application or subpoena served on Google, in
19 response to the subpoena, Google shall produce the information described in paragraph 1 above, to the
20 extent it is available.

21 4. This Order does not require Google to disclose any information that would be
22 inconsistent with its obligations under the federal law including, but not limited to, the Stored
23 Communications Act.

24 5. Within 30 calendar days from receipt of the subpoena by email, Google shall produce the
25 information described in paragraph 1 above, to the extent it is available, along with a notarized
26 verification signed under penalty of perjury to AUSA Johns, notwithstanding any other paragraph in this
27 Order.

28 5. Google can, and is authorized to, produce the information described in paragraph 1 above
[PROPOSED] ORDER GRANTING EX PARTE APPLICATION FOR ORDER PURSUANT TO 28 U.S.C. § 1782

1 directly to the Seoul Central District Court in Seoul, Republic of Korea, but any responsive information
2 must be sent to the address set forth directly below:

3 **National Court Administration**
4 **Atten: Director of International Affairs**
5 **219 Seocho-Daero, Seocho-Gu**
6 **Seoul 06590**
7 **Republic of Korea.**

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
6. If Google produces the information described in paragraph 1 above directly to the Seoul
Central District Court in Seoul, Republic of Korea, it must provide AUSA Johns with a certification
attesting that it responded directly to the Korean Court within ten (10) days of the information described
in paragraph 1 above being produced to the Seoul Central District Court.

7. If Google requires an additional or modified uniform resource locator, "URL," to process
the subpoena, upon receipt of the requested updated or new URL from AUSA Johns, Google will agree
to provide the information responsive to the Request Letter within 30 calendar days, along with a
notarized verification signed under penalty of perjury to AUSA Johns.

8. This Order does not preclude the United States from filing an amended petition for a
further order authorizing an amended subpoena requesting additional information from Google in the
event the Korean Court requests additional information from Google after reviewing Google's response
to the subpoena authorized by this Order.

9. This Order does not preclude Google from filing a motion to quash or modify the
subpoena under any applicable Federal Rule or statute.

IT IS SO ORDERED.

DATED: July 8, 2022

